

Message Text

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ACTION EB-08

INFO OCT-01 EUR-12 IO-13 ISO-00 AGRE-00 CIAE-00
COME-00 INR-10 LAB-04 NSAE-00 SP-02 STR-07
TRSE-00 FRB-03 OMB-01 L-03 NSC-05 SS-15 /084 W
-----032445 232209Z /70

R 231837Z JUN 78
FM AMEMBASSY BONN
TO SECSTATE WASHDC 9672
INFO EC COLLECTIVE
AMEMBASSY BERLIN
AMEMBASSY BUCHAREST
AMEMBASSY BUDAPEST
AMEMBASSY MOSCOW
AMEMBASSY SOFIA
AMEMBASSY WARSAW
USMISSION GENEVA
USMISSION USBERLIN
USMISSION USNATO

C O N F I D E N T I A L SECTION 01 OF 02 BONN 11644

USEEC ALSO FOR EMBASSY

E.O. 11652: GDS
TAGS: PGOV, BQG, EEC, RO, PL, HU
SUBJECT: APPLICABILITY TO BERLIN OF EC TEXTILE
AGREEMENTS WITH CEMA COUNTRIES

REF: BONN 11361

BEGIN SUMMARY. THE HUNGARIAN NEGOTIATOR FOR THE EC-
HUNGARIAN TEXTILES AGREEMENT HAS MADE A NEW PROPOSAL
FOR AN "AGREED MINUTE" CONCERNING THE AREA OF APPLI-
CABILITY CLAUSE. THE FRG BELIEVES THAT ONE CHANGE
IN THE TEXT OF THE PROPOSAL WOULD MAKE IT ACCEPTABLE.
PROSPECTS FOR AGREEMENT ON THE PROPOSAL APPEAR DIM,
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HOWEVER, BECAUSE THE HUNGARIAN NEGOTIATOR HAS INDICATED
IN THE MEANTIME THAT HE HAS RECEIVED INSTRUCTIONS
WHICH MAKES IT DOUBTFUL THAT THE FORMULA HE HAS PRO-
POSED REFLECTS THE POSITION OF HIS GOVERNMENT. END
SUMMARY.

1. AT THE JUNE 23 BONN GROUP MEETING, THE BRITISH

REP (EYERS) REPORTED ON A NEW HUNGARIAN PROPOSAL FOR AN AGREED MINUTE CONCERNING THE AREA OF APPLICABILITY CLAUSE IN THE EC-HUNGARIAN TEXTILES AGREEMENT. EYERS SAID THAT THE FRG, FRENCH, AND UK REPRESENTATIONS TO THE EC HAD ALREADY BEEN INFORMED OF THIS PROPOSAL IN A LETTER OF JUNE 16, 1978 FROM DEPUTY SECRETARY GENERAL C.J. AUDLAND, WHO IS THE OFFICIAL RESPONSIBLE

FOR COORDINATION ON BERLIN MATTERS WITHIN THE EC COMMISSION.

2. EYERS SAID THAT THE EC HAD TOLD THE HUNGARIANS ON JUNE 2 THAT IF THEY PROPOSED A FORMULA ALONG THE LINES OF THE ONE BELOW, THE EC WOULD EXAMINE IT. ON JUNE 9, MIKOSKI, THE HUNGARIAN TEXTILES NEGOTIATOR, TELEPHONED EC NEGOTIATOR SUTTON FROM GENEVA TO SEEK THE EC REACTION ON THE FOLLOWING TEXT FOR AN AGREED MINUTE TO BE SIGNED BY BOTH HEADS OF DELEGATIONS: "WITHIN THE FRAMEWORK OF THE NEGOTIATIONS ON THE AGREEMENT CONCERNING TEXTILES TRADE BETWEEN THE EEC AND HUNGARY AND MOST PARTICULARLY IN REFERENCE TO ITS ARTICLE 18, THE TWO HEADS OF DELEGATION MAKE CLEAR, IN THE NAME OF THE TWO PARTIES TO THIS AGREEMENT, THAT NOTHING IN THIS AGREEMENT SHALL AFFECT THE INTERNATIONAL LEGAL STATUS OF ANY TERRITORY TO WHICH THE AGREEMENT WILL BE APPLIED."
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3. EYERS SAID MIKOSKI WAS ALSO WILLING TO SUBSTITUTE

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C O N F I D E N T I A L SECTION 02 OF 02 BONN 11644

USEEC & EMBASSY

"WHICH WILL BE APPLICABLE" FOR THE WORDS "WHICH WILL
BE APPLIED".

4. EYERS SAID MIKOSKI ASKED THE FOLLOWING SUPPLEMENTARY
QUESTIONS:

(A) TO WHAT EXTENT COULD THE AGREED MINUTE BE
REGARDED AS "OFFICIAL";

(B) COULD IT BE SIGNED BY HEADS OF DELEGATIONS;
AND (C) COULD IT BE PUBLISHED BY THE COMMUNITY.

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5. ON JUNE 14, EYERS SAID, MIKOSKI CONTACTED SUTTON
AGAIN TO REPORT THAT IN THE MEANTIME HE HAD RECEIVED
INSTRUCTIONS FROM HIS AUTHORITIES WHICH HAD LEFT HIM
DOUBTFUL AS TO WHETHER THE FORMULA WOULD IN FACT MEET
THEIR PREOCCUPATIONS (REFTEL).

6. THE FRG BONN GROUP REP (VON BRAUNMUEHL) NOTED
THAT HE WAS AWARE OF THE HUNGARIAN PROPOSAL AND

COMMENTED THAT THE FRG BELIEVED IT MIGHT BE ACCEPTABLE.
"INTERNATIONAL LEGAL STATUS" WOULD HAVE TO BE REPLACED
BY SOMETHING ALONG THE LINES OF "LEGAL SITUATION",
HOWEVER, TO AVOID CREATING THE IMPRESSION THAT THE
EC AGREED WITH THE POSITION OF THE WARSAW PACT STATES
THAT "WESTBERLIN" WAS A "SPECIAL POLITICAL ENTITY"
UNDER INTERNATIONAL LAW. HE TERMED THE PROPOSAL AN
URGENT MATTER AND SAID THAT THE FRG WOULD CONSULT

WITH THE ALLIES IN THE BONN GROUP ON IT THE FOLLOWING
WEEK. STOESEL

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